

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KIMBERLY S. WHITE,

Plaintiff,

ORDER AND CIVIL JUDGMENT
10-CV-1010 (RRM)(JMA)

- against -

DEUTSCHE BANK NATIONAL TRUST
COMPANY, as Trustee of Argent Mortgage
Securities, Inc.,

Defendants.

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MAUSKOPF, United States District Judge.

On March 5, 2010, *pro se* Plaintiff Kimberly S. White filed this civil action, along with an order to show cause for a preliminary injunction and temporary restraining order seeking to stay the scheduled March 8, 2010 eviction from property located at 460 Beach 43rd Street in Far Rockaway, Queens. By Order dated March 5, 2010, the Court granted Plaintiff's request to proceed *in forma pauperis*, but denied her request for a preliminary injunction and dismissed the Complaint for lack of subject matter jurisdiction, with leave to file an Amended Complaint within 30 days. More than 30 days have now elapsed and Plaintiff has not filed an Amended Complaint. Accordingly, it is:

ORDERED, ADJUDGED AND DECREED: That the civil action is hereby dismissed for lack of subject matter jurisdiction, Fed. R. Civ. P. 12(h)(3), and for failure to state a claim, 28 U.S.C. § 1915(e)(2)(B). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: Brooklyn, New York
May 5, 2010

/S/

ROSLYNN R. MAUSKOPF
United States District Judge